

Remarks/Arguments

Applicant thanks the Examiner for the continued attention to the current application. Claims 2, 4 - 9, 11 - 13, 16 - 22, 25 and 27 were examined. Claim 27 has been amended to include the features of previous claim 2, which has been cancelled, in order to advance the prosecution of the current application. Claim 8 has been amended to depend on claim 27.

Claim Rejections - 35 USC § 102

Claims 4 - 7, 11 - 13, 16 - 22, 25 and 27 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Bowers (US Pub. 2003/0203342). Applicant respectfully requests reconsideration of the rejection for at least the reasons set forth below.

Considering first the rejection of claim 27, and the several claims dependent thereon, as noted supra, claim 27 has been amended to incorporate the features of previous claim 2. Accordingly, on this basis alone claim 27, and the several claims dependent thereon cannot be said to be anticipated by Bowers. Moreover, independent claim 16 and the several claims dependent thereon also cannot be said to be anticipated by Bowers.

With regards to independent claim 16, the Examiner has alleged that Bowers teaches searching in a DOM of the web application for user interface control of the web application. The Examiner has relied on paragraphs 103, 120, 220 and 261 of Bowers, and alleged that “the system stores user interface control elements in an object model for storage and retrieval [...]”. Applicant respectfully submits that an object model is not the same as a Document Object Model (DOM). As understood a DOM is a platform- and language-neutral interface that allows programs and scripts to dynamically access and update the content, structure and style of documents. The document can be further processed and the results of that processing can be

incorporated back into the presented page represented by the DOM (see W3C - Document Object Model (DOM) <http://www.w3.org/DOM/#what>). Bowers is silent on the use of a DOM to display the test described in XXL.

The Examiner has further alleged that Bowers discloses generating a function name associated with the user interface controls based on the namespace of the user interface control element associated with the located user interface control. In particular, the Examiner has alleged that paragraph 182 of Bowers discloses this feature. Applicants first note that as set forth above, Bowers does not suggest searching a DOM, and as such cannot locate a user interface control. Bowers, therefore, cannot generate a function name based on the namespace [...] associated with the located user interface control. However, even forgoing this argument, Bowers does not generate a function name based on the namespace of the user interface control element associated with a user interface control. Paragraph 182 of Bowers simply discloses identifying events by a respective name. It does not suggest generating a function name based on the namespace of a user interface control element.

The Examiner has also suggested that paragraphs 181 - 183 of Bowers disclose calling user interface control instructions through the generated function name; however, the Examiner has not provided any reasoning as to how these paragraphs are being interpreted. Paragraphs 181 - 183 of Bowers describe various 'branches' of a data structure. Applicants can find no suggestion in the cited paragraphs to suggest calling user interface control instructions through the generated function name.

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As set forth above, Bowers does not teach or suggest all of the limitations of current independent claim 16. As such, Applicant respectfully submits that independent claim 16 complies with 35 U.S.C. 102.

Applicants further submit that by virtue of at least their dependence upon the independent claims, dependent claims 4 - 7, 11 - 13, 16 - 22, 25 and 27 are also not anticipated by Bowers and comply with 35 U.S.C. 102(e).

Turning to the rejection of claims 2, 8 and 9 as being obvious from Bowers, as noted supra, independent claim 27 has been amended to incorporate the features of claim 2, which has been cancelled. Accordingly, and with reference to claim 27, Bowers describes a method and system for computer based testing using customizable templates. According to Bowers the customizable test templates may be written in a type of extensible mark-up language, referred to as XXL. The templates provide a way to describe the layout for various portions of a test. For example, a template may be provided for describing the layout of multiple choice questions and another layout provided describing the layout of a test control panel, referred to by Bowers as a Helm, that allows a test taker to navigate around the test, for example moving to the next multiple choice question.

According to Bowers, the XXL of the various templates are combined with test data, for example the actual questions and answers, in order to create an exam resource file that is used by a test driver when displaying the test. According to Bowers, the exam resource file is an object linking and embedding (OLE) structured storage format (see Bowers para. [0099]).

In rejecting the current claims the Examiner has alleged that the test driver "is a web application written in a deviation of XML web language (coined term XXL: 'extensible exam

language’)). Applicants respectfully submit that this interpretation of Bowers is not supported by the reference. In particular, there is no indication in Bowers that the test driver is a web application and the Examiner has not provided any indication as to where Bowers allegedly teaches this.

Furthermore, no teachings found in Bowers support the allegation that the test driver is written in XML (or more particularly XXL). Rather, as described by Bowers the test driver is an Active Document container application that can display and administer a test according to an exam resource file (see Bowers [0099] - [0100]). The exam resource file is compiled from various components that may include one or more template documents written in XXL. The Active Document test container may use additional plugins that have been compiled into .DLL’s, .EXE’s.

As set forth above, the Examiner’s allegation that the test driver of Bowers is a web application written in a deviation of XML cannot be supported by the teachings of Bowers, which clearly teaches the test driver as an Active Document container. As such, Applicants respectfully submit that the Examiner has not provided clear and reasoned arguments as to how Bowers teaches or suggests the claimed subject matter.

The Examiner has further alleged that Bowers teaches a viewer for rendering the DOM of the web application described in the extended presentation markup language. As described above, Bowers teaches compiling the various test files into an exam resource file which is then used by the test driver to administer the test. Bowers does not teach or suggest a viewer that can render a DOM. Furthermore, Bowers does not teach or suggest that the viewer includes a

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collection of user interface control instructions, that each define behaviour of the user interface control element to control user interface features, as recited by the current claims.

With regards to previous claim 2, the Examiner has alleged that the when the COM plug-in (iNavigate) traverses the test it is obviously traversing a DOM which makes up the test (GUI) to access nodes in the XML document. As set forth above, this interpretation of Bowers is not supported by the reference. According to Bowers the XML document is compiled into an exam resource file which is then used to administer the test. As such, there is no support for the broad allegation that the iNavigate plugin is obviously traversing a DOM. Furthermore, even if the Examiner's incorrect interpretation of Bowers is accepted, there is still no teaching for all of the additional limitations recited by the claim. The broad allegation of the Examiner that the COM plug-in traverses the DOM to access nodes in the XML document does not obviate the specific limitations recited by the claim. For example, Bowers does not teach or suggest generating a function name based on the user interface control identifier of control elements of the nodes identified by the namespace. Furthermore, Bowers does not teach or suggest calling the user interface control instructions associated with the control element through the generated function name.

Applicants note that the broad, unsupported statements by the Examiner are not sufficient to establish a prima facie case of obviousness. From the Examiner's broad allegations, it is difficult to determine how the Examiner is interpreting Bowers, and as such an appropriate response addressing the Examiner's line of reasoning cannot be adequately prepared.

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Applicants respectfully submit that claim 27 that incorporates the features of previous dependent claim 2, as well as claims 8 and 9 which depend thereon comply with 35 U.S.C. 103(a).

Applicants respectfully submit that both the current independent claims 27 and 16, as well as the claims dependent therefrom, comply with 35 U.S.C. 102 and 35 U.S.C. 103.

Closing

In view of the remarks, and having dealt with all of the objections raised by the Examiner reconsideration and allowance of the current application is courteously requested.

Extension fees are being paid via EFS WEB in the amount of \$130.00.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account 08-1391.

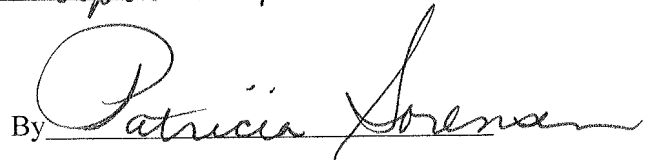
Respectfully submitted,



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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this paper is being deposited with the United States Patent Office via the electronic filing procedure on April 23, 2010 at Tucson, Arizona.

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